



City of Seattle
Mike McGinn, Mayor

Department of Planning & Development
D.M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3010305 & 3010321

Applicants Name: Permits NW for the University of Washington

Address of the Proposal: 1112 NE 41st St. (Site 31W - West);
1128 NE 41st St. (Site 31W - East)

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 7-story, 54 unit student housing apartment building. Parking for 78 vehicles is to be provided on two levels at and above grade. The project includes 7,400 cu. yds. of grading. A Determination of non-significance has been prepared by the University of Washington.

The following approvals are required¹:

Administrative Design Review (SMC 23.42.004)

SEPA – to approve, condition pursuant to 25.05.660.

¹ It is the position of the University of Washington (UW) that, pursuant to state statute, the UW Board of Regents has full control of UW property and the UW is not subject to City land use regulation. It also the UW's position that the *Campus Master Plan – Seattle 2003*, adopted by the City and UW, governs the campus, that the plan supersedes other City land use regulations including the Tree Protection Ordinance, and the UW is not subject to City design review. Without waiving these legal positions, the UW has applied for the permits and approvals that are the subject of this decision.

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☒ EIS²
☐ DNS with conditions
☐ DNS involving non-exempt grading, or demolition, or
involving another agency with jurisdiction.

BACKGROUND INFORMATION:

Site and Area Description

This project (referred to herein as the “Site 31W Project”) is part of a larger proposal to develop student housing in the University of Washington (University) West Campus (known as the “West Campus Student Housing Project”). The sites for Phase 1A of the West Campus Student Housing Project correspond with Sites 31W, 32W, 33W, and 35W of the *Campus Master Plan (CMP) – Seattle 2003*. These four sites are located in the West Campus area in subarea S/W-1, which is generally bounded by Eastlake Avenue NE to the west, Lincoln Way to the south, 15th Avenue NE to the east and NE 42nd Street to the north.

The sites for the proposed Phase 1B correspond with *CMP-Seattle 2003* Sites 29W/42W and 30W. Site 29W/42W is located in the University’s West Campus area in subarea S/W-6 which is generally bounded by Eastlake Avenue NE (University Bridge) to the west, Lincoln Way to the north, Brooklyn Avenue NW to the east and NE Pacific Street to the south. Site 30W is located in subarea S/W-1 which is generally bounded by Eastlake Avenue NE to the west, Lincoln Way to the south, 15th Avenue NE to the east and NE 42nd Street to the north.

A Minor Plan Change, Interpretation Number 09-006 (DPD # 30010443) was approved by the Department of Planning and Development (DPD). DPD approved the required structure setback from property lines to be reduced to zero in three locations; that 3,000 new student beds be developed; and the Cavalier Apartments be included in the development area known as 35W.

Two alley vacations are being requested for Sites 32W and 35W. These vacations were previously identified and analyzed in the *CMP-Seattle 2003 Environmental Impact Statement*.

West Campus Student Housing Project Description

The Final Supplemental Environmental Impact Statement (FSEIS) identified a Preferred Alternative for the *West Campus Student Housing Project*. Phase 1A of the Preferred Alternative entails the development of three new residence hall facilities and a new student apartment facility on *CMP-Seattle 2003* sites 31W, 32W, 33W and 35W and would accommodate approximately 1,645 new student residence beds. The new student housing buildings would include residence hall program space, retail, academic or office space on the ground level with bedrooms on the levels above. Open space, public space and landscaping are integrated throughout the housing sites to

² The University of Washington Capital Projects Office prepared a Draft Supplemental Environmental Impact Statement (DSEIS) entitled “University of Washington West Campus Student Housing Project Phase 1A and 1B”, published in July of 2009. The University published the Final SEIS in December, 2009.

create a live, learn, work and play campus atmosphere. Demolition of onsite buildings and parking would occur. In addition, two alley vacations have been requested on Sites 32W and 35W.

A total of approximately 619,015 square feet of new uses associated with housing, academic, office, residence hall support, retail and parking space would be developed under Phase 1A. Approximately 542,501 square feet of the development would be dedicated to housing providing approximately 1,021 new bedrooms comprised of 1,299 residence hall beds and 346 apartment beds; for a total of 1,645 new beds. Approximately 35,539 square feet of development would be designated for support uses such as a café, office space, an exercise area, classrooms, an auditorium, a banquet hall, a retail market or other uses which could accommodate approximately 47 employees. Approximately 131 parking spaces would be provided on the four sites with the majority located at Site 31W. Bicycle parking would be provided at each site with a total of 543 bicycle parking spaces provided at the four sites. Building heights would range from 6 to 7 stories; building heights range from 65 to 70 feet. Existing alleys would be vacated on sites 32W and 35W.

It is anticipated that sites 31W and 33W of Phase 1A would be available for occupancy in the fall of 2011. Sites 32W and 35W will be available for occupancy in the fall of 2012. Phase 1B housing would be available for occupancy in the fall of 2013.

Parking is managed campus-wide rather than site by site or project by project. *CMP – Seattle 2003* includes the approved University of Washington Transportation Management Plan. All existing parking spaces on the proposed development sites would be replaced through a combination of provision of new spaces, utilizing existing parking capacity in other areas of campus or other arrangements with the University of Washington Commuter Services for the accommodation of displaced spaces.

Site 31W Project Description

The Site 31W Project (which is the subject of this decision) is comprised of 37,082 square feet, bounded by 11th Avenue NE/Eastlake Avenue NE to the west, NE 41st Street and Condon Hall to the south, 12th Avenue NE and multi-family residential buildings to the east and single family residences and the Clifton Apartment building to the north. A 14-foot wide north/south mid-block alley bisects the site from NE 41st Street north to NE 42nd Street. Site 31W consists of a gravel University parking lot (Lot W2) with 143 parking spaces.

Site 31W would be developed with two, six-story, 65-foot tall apartment buildings comprising 196,043 square feet of building area that would accommodate 346 beds. It is anticipated that these beds would be available to the undergraduate student population. Approximately 125 parking spaces would be provided in two floors of below grade and semi-below grade levels beneath each building. The existing 14 foot-wide north/south mid-block alley that bisects the site from NE 41st Street north to NE 42nd Street would remain and would be improved to a 16-foot width.

The 143-stall University parking lot would be demolished to accommodate building construction. Replacement of a portion of the displaced parking would occur within Site 31W, approximately 125 spaces. Of the 125 spaces 2 would meet accessible parking requirements, 87 would be intended to serve the new residents on the site and 38 would be intended to replace a portion of the 143 spaces in Lot W2 displaced from the site.

Approximately 154 bicycle parking spaces would be provided on site including both covered bicycle parking and bicycle lockers.

Grading of approximately 5,800 cubic yards of excavation would be required at Site 31W to accommodate the development on the site.

Building height under the *CMP-Seattle 2003* is permitted to 65 feet. The structure on this site would be developed to the maximum allowed 65 feet.

Setbacks comply with the standards in the *CMP-Seattle 2003*. An adjustment to the setback requirement on the west and east frontage to zero was approved through the minor plan change request.

No alley vacations are proposed on Site 31W.

Vehicle access to the underground parking level would be provided via the improved 16-foot wide mid-block alley.

Utilities are adequate to serve the site.

Public Comment

Notice of Administrative Design Review and early design guidance was issued on December 10, 2009. The required public comment period ended on December 23, 2009.

Notice of Application for the project was published by DPD on July 23, 2009. The required public comment period ended on August 5, 2009. Three letters were received by the University of Washington commenting on the Draft Supplemental EIS. These letters and written responses to them are found in Chapter 3 of the Final Supplemental EIS. Six letters were received by DPD. Comments and questions concerned parking, pedestrian traffic, noise, security, loss of light and air space.

ADMINISTRATIVE DESIGN REVIEW

Design Review Requirement

There is one tree on the Site 31W Project site that is designated as exceptional pursuant to the Tree Protection Ordinance (Chapter 25.11 SMC), which the applicant is proposing to remove for project development. This tree is located in the southeast portion of the project site. The Tree Protection Ordinance requires that the project go through administrative design review and the Ordinance states at SMC 25.11.080:

“The Director may permit an exceptional tree to be removed only if the applicant demonstrates that protecting the tree by avoiding development in the tree protection area could not be achieved through the development standard departures permitted in Section 23.41.012.”

DPD has reviewed the development standards applicable to this project to determine if there is any departure that could be granted that would allow the applicant to avoid development in the tree protection area. However, there is no such development standard departure. Therefore, protecting the tree through a development standard departure is not possible in this instance. Nevertheless, DPD has conducted a design review of the project as set forth herein.

Design Review

After visiting Site 31W, considering the analysis of the site and context provided by the proponents, and hearing any public comment, the DPD staff determined that the design guidelines set forth below are the priority guidelines for review of the subject project. These guidelines are found in *CMP–Seattle 2003* and in the City of Seattle’s “*Design Review: Guidelines for Multifamily and Commercial Buildings*” (“Citywide Design Review Guidelines”). As described below, the project has been reviewed in light of these guidelines.

CAMPUS MASTER PLAN (CMP) – SEATTLE 2003

Building Design (CMP pp. 21-22)

All new projects must satisfy the following design requirements:

- **Maintain continuity with the context of surrounding buildings, or if the existing context is not clear or valued, contribute to the establishment of a new context.**

The alley should be retained to maintain continuity with the alley grid on the northern part of the block. The height should be limited to 65 feet, consistent with *CMP- Seattle 2003* to maintain continuity with the heights of buildings to the north and east. Brick should be considered as an exterior building material to maintain continuity of appearance with other brick residential buildings in the vicinity.

- **Conserve valued elements of existing buildings and landscape; enhance their presence with the new development.**

There are no existing buildings on Site 31W. Existing street trees should be preserved to the maximum extent practical. By way of mitigation, the applicant should plant a tree on public property to replace the one exceptional tree on site that will be removed for project development.

- **Express function in the design concept of the building through form and organization.**
- **Express the structural rhythm of the structure.**

The project should use form and organization to express its function as a student residence, including differences in building materials, window openings, and other design elements to express a difference between the upper floors (which are private residential areas) and the street level (which includes public/common areas).

- **Express entrances, places of gathering, transition from outside to inside, and protection from weather.**

The project should incorporate corner entrances on NE 41st at the intersections with 11th and 12th Avenues NE. The entrances should have enlarged openings set back from the sidewalk to provide a welcoming feel and canopies for weather protection.

- **Promote low maintenance and operating costs.**
- **Express a sense of permanence and provide for opportunities for buildings to age well.**

The project should be designed with durable exterior building materials and designed to be energy efficient. The exterior building materials should express a permanent character and age well.

- **Express designs that consider the broadest possible spectrum of human ability in use of spaces and products.**

The project should be designed to be fully accessible regardless of mobility.

- **Building design and placement should accommodate convenient pedestrian circulation.**

The buildings should meet the NE 41st St. sidewalks, which serve as principal pedestrian connections to the main campus to the east, and incorporate weather protection.

- **Exterior lighting will be designed to consider the impact of light and glare on surrounding buildings and spaces in the community and on campus consistent with the needs of safety and security.**

The project should be designed to allow minimal light leakage outside the curb lines, while fully lighting the sidewalks for safety and security.

- **Design solutions responsive to context, climate, and energy conservation are encouraged Contextual responses can be accomplished through siting, choice of materials, form, scale, massing, and aesthetic references. These should be considered as ways to respond to the positive attributes of buildings in the surrounding area. Response to context may be expressed with the overall form and scale of the building or as an element or detail which places or anchors the building in context. Examples are an entrance, corner, tower, roof, profile, and details.**
- **It is important to consider the existing or emerging context in order to develop a project, building, and/or landscape appropriate to a specific place and the University as a whole. The time, the uniqueness of the function of the building, and the objective of contributing to, enriching, and adding to that place and context is also important. While buildings are used for different programs over time, they usually express in their form and elevations specific functions such as lecture halls, classrooms, offices, laboratories, and circulation.**

The project should be responsive to its context through its choice of exterior building materials, form, massing, and aesthetic references. Some of the more appealing aspects of the neighborhood are the older brick apartment buildings that express a simple form. The project should be designed to be consistent with this neighborhood character. The design should also seek to strengthen the pedestrian character of the street level.

- **Climatic responses and energy conservation measures may include natural light-filled interior spaces for gathering and circulating (especially where related to entry) and “green” roof technology that considers storm water treatment and softened views from the upper levels to buildings below (Guidelines relating to environmental stewardship and sustainability principles are also included in Sustainable Construction and Resource Conservation at CMP p. 23.)**

The project should be designed to include climatic responses and energy conservation measures.

- **Depending on the context and nature of existing buildings, new buildings may be background or foreground. They may stand alone or be part of a larger grouping. Almost always, buildings should be conceived in concert with pedestrian circulation, open space and landscape and often will form outdoor space.**

The project should be designed to fit the building into the neighborhood to the extent feasible. It will be part of the larger grouping of the West Campus Student Housing Project which should be designed to fit the existing neighborhood context to the extent feasible. The buildings should be designed to support pedestrian circulation and a pedestrian streetscape especially along NE 41st St. Open space on an upper floor for the use of residents is encouraged. Street-level landscaping should be provided.

Scale, Materials, and Detailing (CMP pp. 22-23)

- **The scale of the buildings should be considered in two ways. First, the overall scale – size, footprint, height, and profile – must be considered in relation to its surrounding buildings and open space. Usually, buildings will be “in scale,” similar to their surroundings and appropriate to the development area and use, unless the building or site is a landmark deserving special prominence. Second, a building should be experienced at various scales, one superimposed on another that is either reinforcing or contrasting. The overall scale of a building and smaller, more intimate levels of scale simultaneously should be perceived and understood. Elements that contribute to legibility at more intimate scales include windows, entrances, bases, and roof edges.**

The overall scale of the project should be consistent with the surroundings, e.g., limited to 65 feet in height. The buildings footprints should extend to the sidewalks (except on the north), consistent with other multi-family buildings in the area. A simple profile should be created, similar to the older apartment buildings in the neighborhood. Although the buildings will be perceived with a 65-foot scale from a distance, the buildings should be designed to create a more pedestrian scale from the sidewalk level.

- **Material choices should emphasize integrity of materials in their natural state. They should be of a permanent nature, able to age well, and express appropriate craftsmanship in their detailing and application. Material options will vary depending upon the campus area.**

Exterior materials should be selected that will express a permanent nature and age well. A variation in exterior materials between the street and upper levels is encouraged to express appropriate craftsmanship.

- **Detailing should convey a building’s function, contemporary use of technology, and the nature of materials, structure, and systems used. Details should also address scale by helping to make the buildings sensitive to the pedestrian through providing multiple levels of perception at varying distances.**

See comments above.

CITYWIDE DESIGN REVIEW GUIDELINES

A. Site Planning.

Retain the alley running north-south through the project site and do not seek an alley vacation. This design will allow for vehicular access to the parking from the alley. It also has the advantages of allowing light and air in the center of the project site, retaining full north-south alley access for the private properties to the north, and limiting vehicular-pedestrian conflicts on the sidewalks. In addition, utilize a design that brings the building to the sidewalk and provides corner entrances that meet the street, which would represent good pedestrian-level site planning.

B. Height, Bulk, and Scale.

Although the zoning of the site is Major Institution Overlay – 105, a decision was made in the CMP to limit the development height to 65' to best assure compatibility with the scale of adjacent development. The proposed project must be designed consistent with this height limit. The CMP also includes certain setback requirements regarding the project site. To encourage a more inviting pedestrian environment in this urban setting, the UW sought and DPD approved a CMP amendment to allow development up to the property lines on the adjacent streets. However, a decision was made to retain the required setbacks on the north side of Site 31W adjacent to the private properties that share the northern border, in order to better assure compatibility with those neighboring properties. The project must be designed in compliance with these setbacks.

C. Architectural Elements and Materials.

Please see guidelines above regarding exterior building materials, canopies, and building entrances.

D. Pedestrian Environment.

The project should be designed with convenient, attractive and protected pedestrian entries located on NE 41st St. which is a pedestrian corridor between the W. Campus area and the main campus east of 15th St. Blank walls should be minimized. All parking shall be screened or below-grade. Dumpsters, utility and service areas should be located off the alley.

E. Landscaping.

A project landscaping plan will be submitted as part of the Master Use Permit process that includes appropriate street trees and other street level landscaping.

ANALYSIS-SEPA

The environmental analysis of the EIS Alternatives presented in the Draft SEIS studied potential development on the sites comprising the West Campus Student Housing Project. A preferred plan for student housing development on the sites was not identified at the Draft SEIS stage. The Draft SEIS analyzed environmental conditions under a range of site development scenarios, including three SEIS Alternatives meeting the objectives of the University for the sites (Alternatives 1 through 3) and the No Action Alternative (Alternative 4). These Draft SEIS Alternatives represented a full range of student housing densities that the sites could accommodate in light of: the University of Washington's objectives as applicant and existing/proposed provisions of the *CMP-Seattle 2003*. The Final SEIS identifies a Preferred Alternative for the West Campus Student Housing Project; the Preferred Alternative reflects a level of development that is within the range of alternatives analyzed in the Draft SEIS.

The initial disclosure of the potential impacts from the West Campus Student Housing Project was made in the Draft Supplemental Environmental Impact Statement (DSEIS) issued by the University of Washington in July of 2009. The Final SEIS was issued in December of 2009. The information in the SEIS (Draft and Final), the supplemental information submitted by the applicant and the experience of the lead agency and the City of Seattle with the review of similar projects form the basis for this analysis and conditioning decision.

The SEPA Overview Policy (SMC 25.05.665D) clarified the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, “Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,” subject to some limitations. Under such limited circumstances (see SMC 25.05.665.D.1-7), mitigation may be considered by the Department.

Short-term Impacts

Phase 1A of the West Campus Student Housing Project (which includes the projects on Sites 31W, 32W, 33W, and 35W; referred to in this section as the “Phase IA Project”) is likely to have short-term adverse, construction-related environmental impacts with respect to vegetation, earth, noise, air, water quality, traffic, and pedestrian circulation. No other elements of the environment appear likely to be adversely affected, and no other elements have been identified in the Supplemental EIS.

Air, Earth, and Water. The Phase IA Project is likely to cause some minor soil erosion from grading and other site work while the earth is exposed. These include decreased air quality due to dust and other particulates produced by construction equipment and operations, and tracking of mud and dirt onto adjacent streets by construction vehicles. These air and earth impacts are expected to be minor in scope and would be limited to the period of site preparation, estimated to be about four months for each project site. Several adopted City codes and ordinances provide adequate mitigation. The Street Use Ordinance provides for watering the streets to suppress dust; the Stormwater, Grading and Drainage Control Code provides for mitigation of earth impacts related to grading and excavation, such as soil erosion and runoff and the Seattle Building Code provides for appropriateness of construction measures in general. (In a separate section below, this analysis addresses truck traffic associated with construction activities.)

Approximately 28,400 cubic yards of cut material would result from the Phase IA Project (Phase 1A sites 31W, 32W, 33W and 35W). Truck related traffic from construction workers and equipment would impact roadways in the vicinity of the project sites. Truck traffic associated with site excavation and grading would also impact area roadways. Phase 1A would result in approximately 3,130 truck trips. Truck trips associated with excavation would be distributed over multiple days and during non-peak times. In addition to excavation-related truck traffic, materials and machinery deliveries are also anticipated.

Soil stabilization will be assured by compliance with the Stormwater, Grading and Drainage Control Code, and the Building Code. Further Director’s Rule 2000-16 was developed to apply Best Management Practices (BMP’s) to prevent erosion and sedimentation from leaving

construction sites or where construction will impact receiving waters. The implementation of Best Management Practices, as contained in DR 200-16, is a standard requirement for permit approval.

Construction will result in localized, short-term increases in particulate and carbon monoxide associated with the removal of existing pavement, excavation, grading, soil compaction and operation of heavy trucks and smaller equipment. On-site activity and periodic traffic delays on adjacent streets could contribute to slight increases in localized vehicle emissions of carbon monoxide and nitrogen dioxide. It is not anticipated that increased suspended particulates or carbon monoxide emissions would cause violation of any local ambient air quality standards.

Construction activities including worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increased carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions.

Noise. Short-term noise from Phase IA Project construction would be generated during working hours. The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends. The surrounding properties are developed with housing and will be impacted by construction noise. The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM.

Circulation and Traffic. Pedestrian and bicycle routes would be temporarily affected by Phase IA Project construction. Temporary bicycle and pedestrian routes would be in effect for the duration of all phases of construction. Some automobile parking spaces on or near the sites would be relocated to other parts of campus.

The University of Washington and the general contractor(s) for the Project will prepare a construction traffic plan for workers and construction vehicles. This plan shall be submitted to DPD prior to issuance of a construction permit. The plan shall outline delivery routes for truck trips to minimize disruption to traffic flow on adjacent streets and roadways, including appropriate signage, flaggers, route definitions, flow of vehicles and pedestrians during construction. The plan shall identify truck and construction equipment circulation routes between the site and regional routes such as I-5 or SR 520. The plan shall require delivery trucks and material transportation trucks to avoid A.M. and P.M. peak traffic periods on City streets.

Parking. There will be a displacement of the existing parking lots on the proposed sites. There is both structured parking and surface parking located on campus within several blocks of the project sites. These facilities would serve as construction-worker parking and parking for any dislocated parking permit holders. To accommodate proposed streetscape improvements intended to enhance the pedestrian and bicycle environment and to help achieve Greenstreet improvements identified by the City, there will also be the loss of 3 vehicle on-street parking spaces and up to 2 motorcycle on-street stalls. This loss of parking is not anticipated to be significant.

Greenhouse Gases. Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relative minor contribution of greenhouse gas emissions from this project.

Long-term Impacts

The following long-term or use related impacts of the Phase IA Project were identified in the DSEIS and FSEIS and supporting documents: noise; land use; housing; aesthetics; historic and cultural resources; and transportation. Elements of the environment not discussed below are not adversely affected and/or are adequately mitigated by existing codes, ordinances and/or mitigating components of the Phase 1A Project itself.

Plants and Animals. An arborist report was completed for the Phase IA Project. A total of 270 mature trees were evaluated on the sites and vicinity. It was determined that 13 trees on the four Phase IA Project sites meet the description of “Exceptional” per the City of Seattle’s Director’s Rule 6-2001. In addition, 38 trees meet the University’s criteria for “Extraordinary, Exemplary, or Significant” trees; however, these trees are all located outside the limit of work for the proposed projects. One American Elm on Site 32W was also evaluated in a prior assessment and was classified as Extraordinary. The American Elm will be preserved.

To compensate for the loss of existing trees, new trees would be planted on each of the development sites and/or on other public property. All new trees would be appropriate species for the urban environment as approved by the City of Seattle and the number and size of the new trees would meet or exceed the City of Seattle requirements for tree replacement. In addition, street trees would be planted in public right-of-way planting areas adjacent to each site. Brooklyn Avenue NE would be upgraded to “Green Street” standards with larger planting areas, widened sidewalks, and an increased number of street trees when compared to standard street improvements.

DPD considers the identified measures to be sufficient, and determines that no further mitigation is required. The DSEIS and FSEIS identify no impacts to animals/endangered species warranting further mitigation.

Land Use. The Phase 1A Project is consistent with the *CMP-Seattle 2003* and the University of Washington *Comprehensive Housing Master Plan 2006*. The Phase IA Project would result in the conversion of University property into student housing use which is consistent with the approved plan for the area. The Phase IA Project would primarily result in the displacement of existing parking, vacant buildings, University uses, and some existing residential uses.

Development on Site 31W would replace the existing surface parking lot (Lot W2) with a six-story, approximately 196,000-square foot student apartment building; parking for approximately 125 vehicles would also be developed in the site.

Development on Site 32W would replace the four existing smaller structures and surface parking lot (Lot W3) located on the site, with a six-story, approximately 135,000-square foot residence hall and associated facilities (including a café provided as an element of the public benefits associated

with the proposed alley vacation). Public open space would also be provided around the American Elm tree as a public benefit associated with the proposed alley vacation.

An existing paved parking lot on Site 33W would be replaced with a six-story, approximately 95,000-square foot residence hall building and associated facilities.

Development on Site 35W would replace the existing Cavalier Apartment Building, University of Washington Arts Ticket Office, Drama Studio, and office space, as well as a surface parking lot (LotW6). The new six-story residence hall would contain a total of approximately 192,000 square feet of building area. The residence hall would include an approximately 8,000 square foot retail market store to serve the surrounding community.

The population increase, activity levels, noise levels, traffic and parking are all consistent with the uses in this part of campus and the surrounding residential and commercial areas.

University of Washington Comprehensive Housing Master Plan

The Department of Housing and Food Services (HFS) at the University of Washington operates student housing as well as the residence hall dining, retail dining, conference housing, catering services and a campus debit credit card program. HFS develops University housing both directly and through public/private partnerships with nonprofit organizations. In 2008, the HFS initiated development of a *Comprehensive Housing Master Plan (CHMP)* to prepare a long-term plan to respond to deficiencies in on-campus student housing. The analysis in the *CHMP* concluded that the University currently houses only 16 percent of its enrollment; well below the 22 percent median of peer universities. The *CHMP* further concluded the demand existed for an additional 3,500 new residential beds on the West Campus, in both residence halls and student apartments, by 2020.

Housing. Phase 1A would result in approximately 619,015 square feet of student housing on Site 31S, Site 32W, Site 33W and Site 35W; approximately 542,501 square feet of development would be dedicated to student housing resulting in approximately 1,299 residence hall beds and 346 apartment beds on campus; for a total of 1,645 new beds. With the development of Phase 1A, the University would have the capacity of approximately 8,717 student beds on-campus. As a result, total campus housing would allow for the accommodation of approximately 21 percent of the campus student population; compared to the current 16 percent. Phase 1A and 1B would result in a total campus housing capacity of 9,437 to 9,542; allowing for the accommodation of 22 to 23 percent of the campus student population. The increase in student housing is a benefit to the City in that it relieves some of the housing congestion in the University District opening existing housing to the non-student population.

The Phase 1A Project will result in the demolition of the Cavalier Apartments on Site 35W. The Cavalier Apartments has 48 apartment units, the majority of which are rented by UW students. This loss of housing will be more than offset by the addition of new student housing units.

Noise. The DSEIS and FSEIS note that the City of Seattle's noise ordinance applies to receiving property lines and does not apply within the University Campus. It further states that new noise sources have the potential to exceed the more stringent nighttime noise limits. Identified mitigation measures include: all outdoor mechanical systems (HVAC) would be designed, installed and operated consistent with applicable noise requirements; following the University of Washington Housing and Food Services Student Handbook; and enforcement of the City of Seattle Noise

Ordinance by the University of Washington police on campus. Based on the identified mitigation measures, the environmental documents determined that operational noise levels should be within prescribed limits, on and off campus. DPD concludes that no further mitigation is warranted in this regard.

Aesthetics – Character, Views, Light and Glare, Shadows. The Draft and Final SEIS's analyzed views, light and glare, shadows and the character of the area of the project sites. Impacts include: increase in the level of development; the height of the facilities would generally be consistent with other buildings in the surrounding area and be below the height limits identified in the *CMP-Seattle 2003*. Changes to the overall visual character of the West Campus would be consistent with urban development of the City and this area both the campus and the University District. The new development would introduce new sources of light and glare to the area; however significant adverse impacts are not anticipated. There will be some new shadows associated with development of the new facilities which is unavoidable with development of these sites, but significant impacts to surrounding uses is not anticipated. The project does not adversely impact any protected views. DPD concludes that mitigation is not warranted in this regard.

Cultural Resources. No previously recorded archaeological resources were identified within or adjacent to the Phase IA area. Site 29W/42W (Phase 1B) is located within 200 feet of the US Government Meander line, which indicates the historic shoreline of Portage Bay. If resources of potential archaeological significance are encountered during construction or excavation, the responsible project manager/director shall stop work immediately and notify the appropriate departments of the University of Washington, Department of Planning and Development and the State Department of Archaeology and Historic Preservation so that appropriate evaluation, consultation and mitigation can take place before construction resumes. DPD concludes that no further mitigation is warranted in this regard.

Historic Resources. Consistent with the *CMP-Seattle 2003*, a Historic Resource Addendum (HRA) analyzed all potential development sites. The HRA's were included in Appendix C of the Draft SEIS. The HRA concluded that none of the existing structures on the Project sites meet the criteria for Seattle Landmarks or National Register of Historic Places designation. DPD concludes no mitigation is warranted.

Transportation. The Draft and Final SEIS analyze transportation impacts to vehicle circulation, traffic safety, transit services, pedestrian and bicycle circulation and parking. Traffic impacts resulting from the Phase IA Project's long term (operational) use appear to be negligible at peak hours (FSEIS pages 2-27 through 2-23). Pedestrian pathways, sidewalks, and bicycle pathways are provided throughout campus including the West Campus. There are sidewalks throughout the West Campus which will be maintained and enhanced. Each project includes bicycle parking and lockers. The environmental documents predict that available parking supply will be sufficient to meet Project 1A Project-generated demand. Phase 1B will provide parking for the entire West Campus and meet parking demands from the projects and in the surrounding uses. Existing parking utilization counts show that there is adequate parking availability. Considering the analysis, DPD concludes that no further mitigation for long-term traffic and parking impacts is warranted.

CUCAC Review

CUCAC (City University Community Advisory Committee) has reviewed the Site 31W Project and has made comments which are incorporated into the design of the project. CUCAC did not submit a comment letter on the Draft SEIS.

DECISION – ADMINISTRATIVE DESIGN REVIEW/TREE PROTECTION ORDINANCE

There is no development standard departure that could be granted that would allow the applicant to avoid development in the exceptional tree protection area. The applicant shall construct the Site 31W Project in accordance with the design submitted to and reviewed by DPD.

DECISION – SEPA

DPD has analyzed the Site 31W Project as described in plans provided by the University, has reviewed the Draft and Final Supplemental Environmental Impact Statements issued by the University and exercises substantive SEPA authority to condition the issuance of construction permits for the proposed Site 31W Project.

DPD approved the proposals subject to the conditions listed below.

CODE REQUIREMENTS

A Notice of Intent must be filed with the Puget Sound Clean Air Agency prior to demolition of buildings.

CONDITIONS – SEPA

Prior to Construction Permit Issuance (including grading, demolition and construction)

1. The University of Washington will prepare a construction traffic plan for workers, for review and approval by DPD for each construction project. The plan shall outline delivery routes for truck trips to minimize disruption to traffic flow on adjacent streets and roadways, including appropriate signage, flaggers, route definitions, flow of vehicles and pedestrians during construction. The plans shall identify truck and construction equipment circulation routes between the site and regional routes such as I-5 and/or SR 20. Trucks related to the construction activity shall avoid peak periods of 7:00 – 9:00 AM and 3:00 - 6:00 PM, Monday through Friday on area streets.

During Construction

The following condition(s), to be enforced during construction will be posted in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions will be posted on each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit sets of plans (or with the demolition permit if it is issued separately). The placards will be laminated with clear plastic or other weatherproofing material and will remain in place for the duration of construction. It is the contractor's responsibility to ensure that the subcontractors are informed of the conditions listed below.

2. The University of Washington and/or other responsible parties shall implement the mitigation identified in the arborist's report.

3. To compensate for the loss of the existing exceptional tree during construction, a new tree or trees shall be planted on the public right-of-way planting area adjacent to the site and/or on other public property. The size of the new tree shall meet or exceed the applicable City of Seattle requirements and shall at maturity provide at least as much canopy as the exceptional tree being removed. This tree or trees shall be in addition to any street trees planted pursuant to street improvement requirements of the City.
4. Provide mulch rings of arborist wood chips and protection fencing around all trees scheduled for retention. The radius of the wood chip area should be as large as feasible but at least a three-foot radius from the trunk. For retained trees, schedule this work as soon as possible.
5. Follow correct pruning practices per ANSI A-300 standards for any pruning that might be required for construction clearance or basic maintenance of the trees to be retained.
6. If resources of potential archaeological significance are encountered during construction or excavation, the responsible project manager/director shall stop work immediately and notify the appropriate departments of the University of Washington, Department of Planning and Development and the State Department of Archaeology and Historic Preservation so that appropriate evaluation, consultation and mitigation can take place before construction resumes.
7. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays¹ from 7am to 6pm. Interior work using equipment within a completely enclosed structure, such as but not limited to compressors, portable-powered and pneumatic powered equipment may be allowed on Saturdays between 9am and 6pm, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

¹ New Year's Day, Martin Luther King Junior's Birthday, President's Day, Memorial Day, July 4, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day.

Signature: _____ Date: January 28, 2010

Scott Kemp, Senior Land Use Planner
Department of Planning and Development
Land Use Services

SK:lc

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